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Counsel for Defendant TRABULSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALEXANDER JAMES TRABULSE,

Defendant.

No. CR-09-0350 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING
DATE ON MOTION**

Current Hearing Date: Nov. 3, 2009

Time: 2:00 PM

Court: Hon. William H. Alsup

Proposed Hearing Date: Nov. 24, 2009

Time: 2:00 PM

Court: Hon. William H. Alsup

The Defendant's Motion for Specific Performance of the Plea Agreement is currently on calendar for a hearing before this Court on Tuesday, November 3, 2009, at 2:00 PM. *See* Docket No. 60. Undersigned counsel for Mr. Trabulse and counsel for the United States hereby request that the Court vacate the noticed hearing date and re-calendar the hearing for Tuesday, November 24, 2009, at 2:00 PM. This request is in compliance with Civil Local Rule 7-7(a), which permits

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1 the moving party¹ to continue the motion hearing to a later date, provided that no opposition has
2 been filed and that the continuance is filed before the opposition to the motion is due. The
3 parties jointly request that the motion hearing be re-calendared for November 24, 2009.

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5 IT IS SO STIPULATED.

6
7 October 23, 2009
8 DATED

/s/
THOMAS STEVENS
Assistant United States Attorney

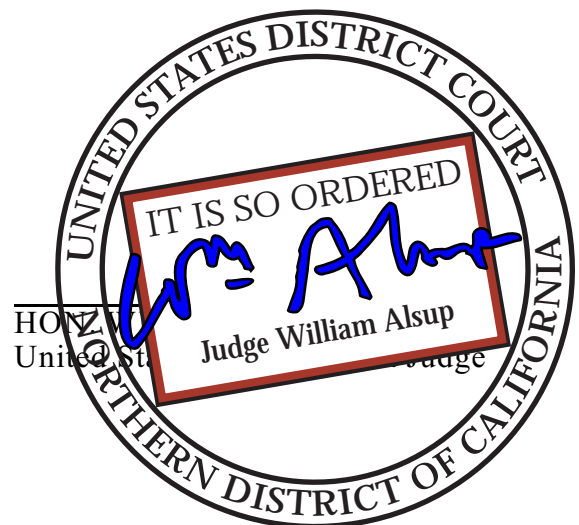
9
10 October 23, 2009
11 DATED

/s/
LOREN STEWART
Assistant Federal Public Defender

12 In accordance with Civil Local Rule 7-7(a), the motion hearing now scheduled for
13 Tuesday, November 3, 2009 is vacated. The matter shall be added to the Court's calendar
14 on Tuesday, November 24, 2009 at 2:00 PM.

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16 IT IS SO ORDERED.

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19 October 26, 2009.
20 DATED



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26 ¹ Although the moving party may unilaterally seek a continuance of the hearing date under the local rule, the parties are jointly requesting the continuance in this instance.